

**RESPONSE TO RESTRICTION REQUIREMENT  
AND AMENDMENT  
U.S. APP. NO. 10/647,254**

**REMARKS**

In response to the Examiner's requirement, Applicant elects Group I, claims 1-3, and 8-10 with traverse.

MPEP § 803 provides that if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits. In the Office Action, the examiner indicates that the claims of Groups I and II are classified in separate subclasses. Notwithstanding the manner in which subject matter may be classified in the USPTO for search purposes, which in any event is not determinative of dependent and distinct inventions within the Statute or the Rules, the claims of Groups I and II are so inextricably interrelated that either group of claims cannot be comprehensively examined without also searching those areas in which the other group is classified.

Moreover, while acquiescence in a restriction requirement and the attendant filing of a Divisional application surely represents the "path of least resistance", the cumulative government filing, issue and maintenance fees alone involved in pursuing such course of action currently totals more than \$8000, which seems a high price indeed to spare the examiner from whatever additional search may be necessary.

In view of the foregoing, Applicant requests that the requirement be withdrawn upon reconsideration.

Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

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Applicant reserves the right to file a Divisional Application directed to non-elected claims.

Applicant cancels claims 4 and 11.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

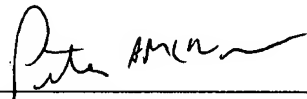
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
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Date: April 30, 2007